

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2321.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF RUM AND QUININE FOR THE HAIR.

On August 6, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert Edelstein, doing business under the name and style of Monte Christo Cosmetic Co., New York, N. Y., alleging shipment by said defendant on December 4, 1911, from the State of New York into the District of Columbia of a quantity of rum and quinine for the hair which was adulterated and misbranded. The product was labeled: "Guaranteed by Monte Christo Cosmetic Co. under the Food and Drugs Act, June 30, 1906. Serial No. 4198, Perfumerie Monte Christo Rum and Quinine for the Hair. Cools and invigorates the Scalp. Prevents the hair from falling out. Removes and prevents dandruff, imparting to the hair a delightful perfume. Directions—Apply thoroughly to the roots of the hair daily. For sale by "

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Ethyl alcohol (per cent by volume), 18.5; methyl alcohol (per cent by volume), 42; quinine (grams per 100 cc), 0.28 (present as sulphate or bisulphate); nonvolatile matter (gram per 100 cc), 0.44; resorcinol, absent. Adulteration of the product was alleged in the information for the reason that its purity and strength fell below the professed standard under which it was sold, to wit, rum and quinine, the rum being substituted in part by methyl or wood alcohol. Misbranding was alleged in the information for the reason that the statement "rum and quinine" borne on the label was false and misleading because it would mislead

and deceive the purchaser into the belief that the product was composed of rum and quinine when, as a matter of fact, it was a mixture of rum, quinine, and methyl or wood alcohol. Misbranding was alleged for the further reason that the statement "Guaranteed by Monte Christo Cosmetic Co., under the Food and Drugs Act, June 30, 1906. Serial No. 4198," borne on the label was false and misleading because said serial number did not belong to said Monte Christo Cosmetic Co. Misbranding was alleged for the further reason that the package in which the product was contained failed to bear a statement on the label thereof of the quantity and proportion of alcohol contained therein when, as a matter of fact, the product consisted in part of ethyl alcohol and methyl or wood alcohol.

On October 10, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 27, 1913.*